

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION**

JAMES RIVER EQUIPMENT, VIRGINIA, LLC,

Plaintiff,

v.

CIVIL ACTION NO. 5:13-cv-28160

JUSTICE ENERGY COMPANY, INC.,

Defendant.

**DEFENDANT JUSTICE ENERGY COMPANY, INC.'S WRITTEN STATEMENT  
PURSUANT TO COURT'S ORDER**

NOW COMES Defendant Justice Energy Company, Inc. ("Justice Energy" or "Defendant"), by counsel, Andrew L. Ellis, John F. Hussell, IV, John "Jody" Wooton, Jr., and the law firm of Wooton, Davis, Hussell & Ellis, PLLC, and pursuant to this Honorable Court's Order of January 25, 2016, provides the following Report:

Justice Energy submits to the Court that it is in compliance with the Court's May 22, 2015 Order in that (1) the discovery dispute that is the subject of the May 22, 2015 Order has been resolved or rendered moot in light of a settlement agreement reached between the parties; and (2) the attorney fees awarded pursuant to the May 22, 2015 Order are encompassed in and have been or will be paid through the aforementioned settlement agreement reached between the parties. In conjunction with the aforementioned settlement agreement, the Parties have filed a Joint Motion to Stay this matter pending the finalization and performance of the settlement agreement which, under the terms of the settlement agreement, is scheduled to occur in April, 2016. Upon finalization and performance of the settlement agreement, the Parties have agreed to

notify the Court that the matter may be removed from the active docket, dismissed, and the judgments released as satisfied.

Justice Energy further submits to the Court that at the time of occurrence of all or most of the events which led to the entry of the May 22, 2015 Order, Justice Energy was a wholly owned subsidiary of a Russian entity with all decision-making coming out of Moscow, Russia, and that since that time, the Defendant's ownership and management has changed. Justice Energy no longer occupies its 100 Cranberry Creek Drive, Beckley, WV office.

Based on the foregoing, Justice Energy submits that it is in compliance with the Court's May 22, 2015 Order.

**Respectfully submitted,  
JUSTICE ENERGY COMPANY, INC.,  
By Counsel**

/s/ Andrew L. Ellis

John F. Hussell, IV - WV State Bar No. 6610

Andrew L. Ellis – WV State Bar No. 10618

John D. (Jody) Wooton, Jr. – WV State Bar No. 10512

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*Counsel for Defendant*

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**CERTIFICATE OF SERVICE**

John F. Hussell, IV, Andrew L. Ellis, John D. (Jody) Wooton, Jr., and the law firm of WOOTON, DAVIS, HUSSELL & ELLIS PLLC, hereby certify that the “**DEFENDANT JUSTICE ENERGY COMPANY, INC.’S WRITTEN STATEMENT PURSUANT TO COURT’S ORDER**” was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

Jason S. Hammond, Esquire  
Bailey & Wyant, PLLC  
500 Virginia Street, East, Suite 600  
P.O. Box 3710  
Charleston, West Virginia 25337-3710

Done this 19<sup>th</sup> day of February 2016.

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/s/ Andrew L. Ellis